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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,953	06/28/2001	Thomas M. Stephany	82999PCW	6278
7590	05/12/2005		EXAMINER	
Thomas H. Close Patent Legal Staff Eastman Kodak Company 343 State Street Rochester, NY 14650-2201			TRAN, ELLEN C	
			ART UNIT	PAPER NUMBER
			2134	
			DATE MAILED: 05/12/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/893,953	STEPHANY ET AL.	
Examiner	Art Unit		
Ellen C. Tran	2134		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 22 February 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-8 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-8 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 22 February 2005 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1.) Certified copies of the priority documents have been received.
 2.) Certified copies of the priority documents have been received in Application No. _____.
 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

1. This action is responsive to communication: 22 February 2005, the original application was filed on 28 June 2001.
2. Claims 1-8 are currently pending in this application. Claims 1 and 5 are independent claims. Claims 1 and 5 have been amended. The drawings filed on 22 February 2005 are accepted.

Response to Arguments

3. Applicant's arguments with respect to claims 1-8 have been considered but they are moot due to new grounds of rejection required because of amendment to the independent claims that include the limitation "three-dimensional".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless ~

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language

5. **Claims 1-8** are rejected under 35 U.S.C. 102(e) as being anticipated by Fogel et al. U.S. Patent Application Publication No. 2004/0053690 (hereinafter '690).

As to independent claim 1, "A method for authenticating playback of animated content of an object, the method comprising the steps of:" is taught in '690 paragraph 0087;

“(a) receiving a three-dimensional wire mesh having a plurality of line segments for describing the object (b) receiving texture data which describes a covering for the wire mesh” is shown in ‘690 paragraphs 0053-0064 (note: the object in this example is the digenome/the plurality of line segments as well as the texture data describing the digenome are the traits);

“(c) receiving movement data for directing movement of the wire mesh” is disclosed in ‘690 paragraph 0034;

“(d) receiving a encrypted version of the movement data” is taught in ‘690 paragraph 0110;

“(e) comparing the movement data and encrypted movement data for verifying that the movement data is substantially the same as the encrypted movement data which verification determines security status of the animated object; and (f) indicating first and second levels of security status for indicating a result of the comparison step” is shown in ‘690 paragraph 0045.

As to dependent claim 2, “**further comprising receiving an encrypted version of the texture data and comparing the texture data and the encrypted version of the texture data”** is disclosed in ‘690 paragraph 0090.

As to dependent claim 3, “**further comprising receiving an encrypted version of the wire mesh and comparing the wire mesh and the encrypted version of the wire mesh”** is taught in ‘690 paragraph 0090.

As to dependent claim 4, “**further comprising indicating a third security indicator which indicates that origin is uncertain, and wherein step (f) includes indicating the first security level as originating from the predetermined source and the second security level as**

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originating from a source other than the predetermined source” is shown in ‘690 paragraph 0136 – 0138 (note it is inherent that if the encryption/authentication method provides invalid results the game server would not reveal the origin of the file).

As to independent claim 5, this claim is directed to the player of the method of claim 1 and is rejected along similar rationale.

As to dependent claims 6-8, these claims are substantially similar to claims 2-4; therefore they are rejected along the same rationale.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (571) 272-3842. The examiner can normally be reached from 6:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A Morse can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ellen Tran
Patent Examiner
Technology Center 2134
03 May 2005



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